



## Legislative Bulletin.....February 11, 2003

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### **H.Con.Res. 27—Condemning the selection of Libya to chair the United Nations Commission on Human Rights (Hyde)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, February 11<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.Con.Res. 27 would resolve that Congress:

- “strongly condemns the selection of Libya to chair the United Nations Commission on Human Rights;
- “commends the President and the Administration for the principled position of the United States in objecting to and calling for a vote on Libya's chairmanship of the Commission;
- “commends countries which joined the United States in objecting to Libya's selection as chair of the Commission;
- “expresses its dismay at the European Union common position of abstention on the critical vote over Libya's chairmanship;
- “is appalled at the support provided to Libya in its efforts to lead the Commission;
- “will hold accountable countries who voted in favor of Libya's chairmanship;
- “highlights its grave concern over the continuing efforts of human rights violators and terrorist countries to use international fora to legitimize their regimes and continue to act with impunity, and calls on the President to raise United States objections to such

efforts during bilateral and multilateral discussions and to direct pertinent Cabinet secretaries to do the same;

- “calls on countries at various stages of democratization to demonstrate their commitment to human rights, democracy, peace and security, and support efforts to reform the Commission;
- “calls on the President to instruct the Secretary of State to consult with the appropriate congressional committees, within 30 calendar days of adoption of this resolution, regarding the United States priorities and strategy for the 59th session of the Commission on Human Rights and strategy and proposals for reform of the Commission;
- “calls on the President to issue an objection to the continued suspension of sanctions against Libya and to call for their full reinstatement until Libya publicly accepts responsibility for the Pan Am Flight 103 bombing, provides appropriate compensation to the victims, and is in full compliance with all of the other requirements of the United Nations sanctions imposed as a result of Libya's orchestration of the Pan Am 103 terrorist attack; and
- “calls on the Secretary of State to engage member countries to support United States efforts to ensure that states that are gross violators of human rights, sponsors of terrorist activities, or subject to United Nations sanctions will not be elected to leadership positions in the United Nations General Assembly nor will they be elected to membership or leadership positions on the United Nations Commission on Human Rights, the United Nations Security Council, or any other United Nations entity or affiliated agency.”

The resolution also outlines the history of Libya’s state sponsorship of terrorism and convictions by various courts around the world to that effect. Further, the resolution notes the UN resolutions against Libya’s sponsorship of terrorism and the reports by numerous human rights groups on the poor human rights record of Libya.

The resolution asserts that, “The selection of Libya to chair the Commission is but the most recent example of a malaise plaguing the Commission, whereby its credibility has been called into question in recent years as its membership ranks have swelled with other egregious human rights violators.”

**Additional Background:** On January 20, 2003, Libya was elected to chair the United Nations Commission on Human Rights, a body charged with promoting universal respect for human rights and fundamental freedoms for all. According to the rotation system which governs the selection of the Executive Board of the Commission, 2003 was designated as the year for the Africa Group to chair the Commission, and the Africa Group selected Libya as its candidate.

Libya remains on the Department of State's list of state-sponsors of terrorism.

**Administration Position:** The Administration has expressed its outrage at the election of Libya to head this Commission. More broadly, on January 20, 2003, Ambassador Kevin Moley, United States Permanent Representative to the United Nations, emphasized that “[w]e

seek to actively engage and strengthen the moral authority of the Commission on Human Rights, so that it once again proves itself a forceful advocate for those in need of having their human rights protected . . . [w]e are convinced that the best way for the Commission to ensure the ideals of the Universal Declaration of Human Rights over the long-term is to have a membership comprised of countries with strong human rights records at home.”

**Cost to Taxpayers**: The resolution would authorize no expenditure.

**Does the Bill Create New Federal Programs or Rules?**: No.

**Outside Organizations**: The resolution points out the following:

- “Amnesty International has repeatedly documented that Libya's human rights situation continues to seriously deteriorate with gross violations taking place systematically, extrajudicial execution used against government opponents, and political detainees routinely tortured physically and psychologically during interrogation, with some detainees dying in custody as a result;
- “Human Rights Watch recently underscored that ‘[o]ver the past three decades, Libya's human rights record has been appalling’ and ‘Libya has been a closed country for United Nations and nongovernmental human rights investigators.’ Human Rights Watch further stated that ‘Libya's election poses a real test for the Commission . . . [r]epressive governments must not be allowed to hijack the U.N. human rights system;’
- “The Lawyers Committee for Human Rights stated that ‘the Government of Libya should not be entrusted by the United Nations to lead its international effort to promote human rights around the world;’ and
- “Freedom House declared that ‘[a] country [such as Libya] with such a gross record of human rights abuses should not direct the proceedings of the UN's main human rights monitoring body . . . [t]his will undermine the UN's moral authority and send a strong and clear message to fellow rights violators that they are in the clear.’

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## **H.Con.Res. 22—Honoring Czech Republic President Vaclav Havel (*Kind*)**

**Order of Business**: The resolution is scheduled to be considered on Tuesday, February 11<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary**: H.Con.Res. 22 would resolve that Congress:

- “honors the life-long commitment of Czech Republic President Vaclav Havel to human rights and democracy;
- “recognizes the exceptional achievements of Vaclav Havel as playwright and president; and

- “congratulates Vaclav Havel for his outstanding service to the people of the Czech Republic.”

The resolution also points out that during Havel's time in office, he has been praised as one of the world's great democratic leaders, and the economy of the Czech Republic has become one of the most developed in Eastern Europe. Further, the resolution regards the Czech Republic as “a valuable ally of the United States in the war against terrorism.”

**Additional Background:** Vaclav Havel, as leader of the Civic Forum movement, was a key figure in the 1989 bloodless overthrow of the Czechoslovakian communist government (the Velvet Revolution). Following the Velvet Revolution, Havel was elected by the people as President of the Czech and Slovak Federal Republic in 1990, and following a peaceful split forming two separate states, was elected President of the Czech Republic in 1993. Under the leadership of Havel, the Czech Republic became a NATO member on March 12, 1999.

Havel stepped down as President of the Czech Republic on February 2, 2003.

**Cost to Taxpayers:** The resolution would authorize no expenditure.

**Does the Bill Create New Federal Programs or Rules?:** No.

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**H.Res. \_\_ --Commending the people of Israel for conducting free and fair elections, reaffirming the friendship between the Governments and peoples of the United States and Israel, and for other purposes. (Cantor)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, February 11<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. \_\_ would resolve that the House:

- “commends the people of Israel for reaffirming their dedication to democratic ideals as expressed in the election on January 28, 2003;
- “expresses both its respect for the freely expressed will of the people of Israel, and its intention to engage in constructive relations with the new Government of Israel, and urges the international community to do so as well;
- “reaffirms the close bonds of friendship that have bound the people of the United States and the people of Israel together through turbulent times for more than half a century;
- “urges the Palestinian leadership to abide by its commitments made to the United States and to Israel and urges the Palestinian people to act on President Bush’s call of June 24, 2002, to dismantle the terrorist infrastructure, end incitement to violence in official media, elect new leaders not compromised by terror, and embrace democracy; and

- “restates the commitment of the United States to a secure peace for Israel.”

The resolution also asserts that “the election on January 28, 2003, is the most recent example of the commitment of Israel to the democratic ideals of freedom and pluralism, ideals that Israel shares with the United States.”

**Additional Background:** On January 28, 2003, the people of Israel elected Israel’s 16th Knesset, or Parliament, which in turn will soon choose the Prime Minister of Israel.

**Administration Position:** The President issued the following statement in response to the Israeli elections: “I congratulate Prime Minister Ariel Sharon on his victory in Israel's elections yesterday. The friendship between the United States and Israel, and our commitment to Israel's security, remain firm. I look forward to continuing to work with Prime Minister Sharon and his new government in the search for peace and security for all Israelis and all Palestinians.”

<http://www.whitehouse.gov/news/releases/2003/01/20030129-19.html>

**Cost to Taxpayers:** The resolution would authorize no expenditure.

**Does the Bill Create New Federal Programs or Rules?:** No.

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## **H.R. 337 — To extend certain hydroelectric licenses in the State of Alaska (Young of Alaska)**

**Order of Business:** The bill is scheduled for consideration on Tuesday, February 11<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 337 requires the Federal Energy Regulatory Commission (FERC) to issue an order staying the license of a hydroelectric project in Saxman, Alaska, until the completion of the Swan-Tyee transmission line. After the completion of the line, the license would be reinstated and FERC would be required to extend the deadline for completion of the hydroelectric project for 2 years.

**Additional Background:** In 1998, FERC issued a license to the city of Saxman, Alaska, to construct and operate a hydroelectric project on Mahoney Lake. The project is awaiting completion of the Swan-Tyee electricity transmission line, which has taken longer than originally anticipated.

**Cost to Taxpayers:** CBO estimates the bill would have no net effect on the federal budget.

**Does the Bill Create New Federal Programs or Rules?:** No.

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## **H.R. 397 — To reinstate and extend the deadline for commencement of construction of a hydroelectric project in the State of Illinois (Shimkus)**

**Order of Business:** The bill is scheduled for consideration on Tuesday, February 11<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 397 would reinstate an expired license (issued in 1997) for a hydroelectric project at the Carlyle Dam in Carlyle, Illinois. FERC is further authorized to extend the license for up to three two-year periods.

**Additional Background:** The Southwestern Electric Cooperative surrendered the license for the Carlyle Dam project in 2000. If the license is reinstated, it will be transferred to the city of Carlyle, Illinois.

**Cost to Taxpayers:** CBO estimates the bill would have no net effect on the federal budget.

**Does the Bill Create New Federal Programs or Rules?:** No.

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## **H.J.Res. 19 — Commending President Ronald Reagan on his 92<sup>nd</sup> Birthday (Cox)**

**Order of Business:** The resolution is scheduled for consideration on Tuesday, February 11<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.J.Res. 19 resolves that Congress “extends its birthday greetings and best wishes to Ronald Reagan on his 92<sup>nd</sup> birthday.” President Reagan’s birthday was February 6<sup>th</sup>.

The resolution also states that:

- President Reagan is the first former President ever to reach the age of 92;
- President Reagan and his wife Nancy “have distinguished records of public service to the United States, the American people, and the international community;”
- President Reagan’s leadership “was instrumental in extending freedom and democracy around the globe and uniting a world divided by the Cold War;”
- President Reagan is “loved and admired by millions of Americans, and by countless others around the world;” and
- “The thoughts and prayers of the Congress and the country are with Ronald Reagan in his courageous battle with Alzheimer’s disease.”

**Cost to Taxpayers:** The resolution authorizes no expenditure.

**Does the Bill Create New Federal Programs or Rules?:** No.

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**H.Res. 41— Congratulating the University of Portland women's soccer team for winning the 2002 NCAA Division I national championship  
(Blumenauer)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, February 11, 2003, under a motion to suspend the rules and pass the bill.

**Summary:** The resolution has nine findings regarding the national championship win on December 8, 2002, by the University of Portland's women's soccer team and resolves that the House of Representatives —

- “congratulates the University of Portland women's soccer team for winning the 2002 NCAA Division I national championship and recognizes the achievements of all the players, coaches, and support staff who were instrumental in this accomplishment;” and
- “requests that the President recognize the accomplishments and achievements of the 2002 University of Portland women's soccer team and invite them to Washington, D.C., for a White House ceremony for national championship teams.”

**Cost to Taxpayers:** The Clerk of the House, who under H.Res. 41 is required to transmit copies of the resolution to the University, each coach, and each member of the 2002 women's soccer team, would incur a minimal cost.

**Does the Bill Create New Federal Programs or Rules?:** No.

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**S. 141 – To improve the calculation of the Federal subsidy rate with respect to certain small business loans, and for other purposes (Sen. Snowe)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, February 11<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** The bill permits OMB and the Small Business Administration (SBA) to use a recently completed econometric model (prepared by OMB and SBA) for the purpose of determining the subsidy costs (costs related to default, etc) of the 7(a) SBA loan program. Under the provisions of the Federal Credit Reform Act, agencies must use certain historical data when calculating the loan subsidy rate. Loan programs are then capped at the amount that

can be covered by appropriated funds at the designated subsidy rate. Critics of this approach for the 7(a) loan program point out that the data currently in use pre-dates the Credit Reform Act and fails to represent the actual loan performance. According to the Senate sponsor, as a result of the use of this outdated data, the 7(a) loan program is capped at about \$4.85 billion. Updating the credit subsidy rate to reflect actual loan performance will result in the program expanding to a cap of about \$8.2 billion. According to the Senate sponsor, this increase will result in nearly 21,000 more loans.

**Additional Background:** The 7(a) Loan Guaranty Program is one of SBA's primary lending programs. It provides loans to small businesses unable to secure financing on reasonable terms through normal lending channels. The program operates through private-sector lenders that provide loans which are, in turn, guaranteed by the SBA.

Similar legislation was introduced last year by Chairman Manzullo and Chairman Nussle to update the calculation of the SBA loan subsidy rate using econometric modeling.

**Cost to Taxpayers:** Since the expansion of the loan program is accomplished through the adjustment of the loan subsidy rate, the bill should not result in any additional cost to the taxpayer.

**Constitutional Authority:** A statement of Constitutional authority was not available from the Senate.

**Does the Bill Create New Federal Programs or Rules?:** No.

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